

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MIRIAM GOLDBERG,
Plaintiff,
v.
TEACHBK, INC., et al.,
Defendants.

Case No. [24-cv-04525-LJC](#)

**ORDER REGARDING DISCOVERY
DISPUTE**

Re: Dkt. No. 59

Before the Court is Plaintiff Miriam Goldberg's pending unilateral discovery letter. ECF No. 59. Plaintiff's letter raises two issues. First, she complains that Defendants produced an incomplete copy of a June 2024 email conversation between Defendant Andrei Burtsev and FBI agent Jason Fuller in response to her Request for Production of Documents. Defendants produced a screenshot of the agent's response to Mr. Burtsev's email, but not Mr. Burtsev's original email to the FBI or any subsequent communications. *See id.* at 1. Plaintiff requests that Defendants be ordered to produce the entire email conversation. Second, Plaintiff contends that Defendant Ilya Kiselev has refused to properly respond to a series of Requests for Admission (RFAs). *Id.* at 2. Plaintiff served Mr. Kiselev with a set of RFAs. *See* ECF No. 59-1. RFA Nos. 1 through 7 seek to verify whether Mr. Kiselev was the author of several Instagram posts regarding a former Russian official, Katkov, losing his municipal position. ECF No. 59-1 at 3-7. Mr. Kiselev objected to these requests as irrelevant and did not respond. *Id.* at 10. Plaintiff now seeks to compel his response. ECF No. 59 at 2.

Ordinarily, the undersigned requires parties to submit joint rather than unilateral discovery letter briefs. *See* Standing Order ¶ F-5. Plaintiff represented that before filing the letter brief, she met and conferred with Defendants via videoconference. ECF No. 59 at 1. Unable to resolve

these issues, she attempted to “obtain Defendants’ approval to jointly submit [her] letter” but Defendants refused to contribute to the letter. *Id.* The Court provided Defendants additional time to file their own response to the issues raised in Plaintiff’s discovery letter brief, and warned them that their failure to respond could be deemed a waiver of their objections to the discovery requests at issue in the letter. ECF No. 61. The deadline for Defendants to respond has now passed and Defendants have not filed a response. *See id.* The Court accordingly finds it appropriate to rule on Plaintiff’s unilateral letter brief, and, for the forgoing reasons, GRANTS Plaintiff’s requests.

Federal Rule of Civil Procedure 26(b) provides that parties “may obtain discovery regarding any nonprivileged matter that is relevant to any party’s claim or defense and proportional to the needs of the case.” Plaintiff argues that all communications between Defendants and the FBI, rather than just agent Jason Fuller’s July 14, 2024 response to Mr. Burtsev, are relevant to her claim that Defendants defamed her by, among other things, posting online that Plaintiff was part of a Russian espionage network that the FBI was investigating. ECF No. 59 at 1-2; ECF No. 1 (Compl.) at 13. In their Amended Answer, Defendants contend that this statement is not defamatory because, among other things, it is true. ECF No. 49 ¶ 87. As Defendants’ communications with the FBI may reveal whether the FBI was investigating Plaintiff or an espionage network she was allegedly part of, as Defendants claim, this information is relevant to the case. By failing to respond to Plaintiff’s letter brief, Defendants have waived any arguments they may have that this information is privileged or otherwise protected, or production is disproportionate to the needs of the case. *See Fed. R. Civ. P. 26(b).* Defendants are accordingly ORDERED to produce the full email exchange between Mr. Burtsev and FBI Agent Jason Fuller as well as all other communications between Defendants and the FBI regarding Plaintiff.

Plaintiff likewise argues that RFA Nos. 1 through 7 served on Mr. Kiselev seek relevant information. The RFAs in question seek to verify whether Mr. Kiselev was the author of several Instagram posts regarding a former Russian official, Katkov, losing his municipal position. ECF No. 59-1 at 3-7. Kiselev objected to these RFAs, contending that the posts at issue were “unrelated to the current case.” ECF No. 59-1 at 10-11.


The Court disagrees with Mr. Kiselev and finds that the RFAs at issue seek relevant

information. Plaintiff alleges that Defendants defamed her by publicly stating that Plaintiff was communicating with a Russian politician, Katkov, who is aligned with Putin. Compl. ¶¶ 31-33. Plaintiff alleges that Defendants' statements regarding her relationship with Katkov were knowingly false, because Defendants knew that at the time Plaintiff communicated with Katkov, Katkov no longer worked in government. *Id.* Plaintiff claims that Defendants knew Katkov no longer worked for the Russian government when Plaintiff contacted Katkov because Mr. Kiselev had previously made Instagram posts commenting on Katkov losing his political position. *Id.* ¶ 32. The RFAs at issue seek to confirm that Mr. Kiselev was responsible for these posts. ECF No. 59-1 at 3-7. The RFAs accordingly seek information that could help prove or disprove Plaintiff's claim that Defendants' statements were knowingly false. Again, as Defendants did not respond to the discovery letter brief, they have waived any arguments they may have that the RFAs seek privileged information or are disproportionate to the needs of the case. Mr. Kiselev is ordered to serve amended responses substantively responding to RFAs Nos. 1 through 7.

Defendants' supplemental production regarding communications with the FBI and Defendant Kiselev's amended RFA responses are due to Plaintiff no later than September 19, 2025.

IT IS SO ORDERED.

Dated: September 5, 2025



LISA J. CISNEROS
United States Magistrate Judge